

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**KAREN HUGHEY,
Conservator for James Allen Hughey**

PLAINTIFF

V.

CIVIL ACTION NO: 3:18-CV-4-GHD-RP

**TIPPAH COUNTY, MISSISSIPPI,
TOMMY MASON, in His Individual Capacity,
and “X” Bonding Company**

DEFENDANTS

PLAINTIFF’S MOTION TO REOPEN CASE

Pursuant to this Court’s Order Administratively Closing Case of August 23, 2023 [102], Plaintiff Karen Hughey, Conservator for James Allen Hughey, submits the following:

1. This Court previously entered an Order [102] administratively closing this case during the pendency of the underlying criminal charges.

2. The criminal case against James Allen Hughey was set for trial on September 26, 2023. Before the criminal proceedings began on September 26, 2023, the State of Mississippi and Hughey reached an *Alford* plea agreement wherein Hughey was to be sentenced to a term of house arrest. *See* Petition of Defendant for Court to Accept Plea, attached hereto as Exhibit “A.”

3. The Circuit Court of Tippah County, Mississippi, then took up the Plea Petition submitted by Hughey and entered a judgment to effectuate the terms of the agreement. *See* Plea of Guilty and Judgment of Court, attached hereto as Exhibit “B.”

4. Therefore, the underlying criminal matter has been resolved and this civil matter may proceed.

5. Therefore, Plaintiff Karen Hughey, as Conservator for James Allen Hughey, requests this case be reopened and returned to this Court's active docket so that Hughey may pursue his claims against the Defendants.

6. Daniel Griffith, attorney for Defendant Tippah County, Mississippi, has informed Plaintiff's counsel that he does not object to the granting of this Motion. At the time of the filing of this Motion, Plaintiff's counsel has not received a response from counsel for Defendant Mason as to whether Defendant Mason objects to this motion.

7. As this Motion is self-explanatory, Plaintiff requests to be relieved of submitted a supporting memorandum.

RESPECTFULLY SUBMITTED, this the 29th day of September, 2023.

JAMES ALLEN HUGHEY, Plaintiff

By: /s/ JIM WAIDE
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

This will certify that undersigned counsel for Plaintiff has this day filed the above and foregoing with the Clerk of the Court, utilizing the federal court electronic case data filing system (CM/ECF), which sent notification of such filing to the following:

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DATED, this the 29th day of September, 2023.

/s/ JIM WAIDE

JIM WAIDE